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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,349	12/15/2003	Wilfrid LeBlanc	13744US01	4644

23446 7590 02/20/2008
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EXAMINER

GHEBRETINSAE, TEMESGHEN

ART UNIT PAPER NUMBER

2611

MAIL DATE DELIVERY MODE

02/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

TH

Office Action Summary	Application No. 10/736,349	Applicant(s) LEBLANC, WILFRID	
	Examiner Temesghen Ghebretinsae	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 8 and 9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 10-26 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

1. Application number (checked for accuracy, including series code and serial no.).
2. Group art unit number (copied from most recent Office communication).
3. Filing date.
4. Name of the examiner who prepared the most recent Office action.
5. Title of invention.
6. Confirmation number (See MPEP § 503).

Election/Restrictions

2. This application is in condition for allowance except for the presence of claims 8-9 directed to an invention non-elected with traverse in the reply filed on 11/26/07.

Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144).

Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

Allowable Subject Matter

3. Claims 1-7 and 10-26 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fail to anticipate or render obvious the claimed method of

operating a communication system to reduce echo of a narrowband first signal in a wideband second signal, the method comprising: receiving the first signal having spectral components within a first frequency band; accepting the second signal having spectral components in a second frequency band comprising the first frequency band and having spectral components extending beyond the first frequency band; removing a modified version of the first signal from the second signal to produce a third signal; and processing the third signal based upon a level of spectral components of the second signal extending beyond the first frequency band, to further reduce echo of the first signal in the third signal as claimed in claims 1 and 10.

Response to Arguments

5. Applicant's arguments filed 11/26/07 have been fully considered but they are not persuasive. Applicant argument with respect to the restriction is not persuasive.
6. First examiner clearly stated in last office action mailed 10/24/07 that the cause of the restriction set forth in this office action of October 24, 2007 is based on the amendment filed July 23, 2007(see office action mailed 10/24/07 page 2.)
7. Second the restriction is proper see attached previous office action.
8. **This restriction is based on the amended claims filed 7/23/07.**

Election/Restrictions

9. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-7, 10-21 are, drawn to a method of operating a communication system to reduce echo of the narrowband first signal in a wideband second signal, classified in class 370, subclass 286.

II. Claims 8-9 are, drawn to a method for detecting the presence of signal (speech) characteristics outside of the relatively narrower bandwidth to be communicated, classified in class 704, subclass 200+.

The inventions are distinct, each from the other because of the following reasons:

10. Inventions group I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions have different modes of operation, Group I is directed to **echo cancellation** and Group II is **speech detection**.

11. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the **inventions have acquired a separate status in the art in view of their different classification**, restriction for examination purposes as indicated is proper.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temesghen Ghebretinsae whose telephone number is 571-272-3017. The examiner can normally be reached on Monday-Friday from 8 to 6. The examiner can also be reached on alternate .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammed, can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

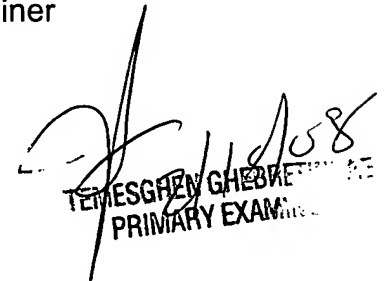
Application/Control Number:
10/736,349
Art Unit: 2611

Page 5

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12. T.Ghebretinsae 2/18/08.

Temesghen Ghebretinsae
Primary Examiner
Art Unit 2611



Handwritten signature of Temesghen Ghebretinsae. Below the signature is a rectangular stamp that reads "TEMESGHEN GHEBRETINSAE" on the top line and "PRIMARY EXAMINER" on the bottom line. The date "2/18/08" is handwritten over the stamp.